

# Drinking Water Inspectorate

## Department for Environment, Food and Rural Affairs

### Non-qualifying regulatory provision assurance statement: **confirmed**

The Regulatory Policy Committee (RPC) is content that, on the basis of the summary information provided, none of the measures or activities covered in the summary document should be considered as a qualifying regulatory provision for the purposes of the business impact target. This statement does not provide a detailed view of any specific activity in the regulator's summary document. Nor does it comment on any activities not included in the summary. Some activities might, however, have been the subject of separate assessments of qualifying regulatory provisions.

#### Comments on the non-qualifying regulatory provision summary

The regulator has provided an adequate description. It would have been helpful if the assessment gave some information to support their assertion that these items are *de minimis*, such as a description of impacts.

The regulator has included a number of measures against the 'monopoly providers (or those with significant market power)' exclusion. The RPC notes that this exclusion is not included, at least in this form, in the exclusions listed for the framework for the current parliament, as announced on 20 June 2018. The RPC notes, however, that the regulator has stated that the measures are, in any case, under the *de minimis*, and therefore non-qualifying.

The regulator has helpfully, at Appendix 1, identified the exclusion categories from the 2015-17 BIT framework to which the measures would apply if those categories applied to the current BIT reporting period. The RPC welcomes the clarity and transparency this additional material provides.

Regulatory Policy Committee

Date of issue: 29 June 2018  
[www.gov.uk/rpc](http://www.gov.uk/rpc)

**Regulator: Drinking Water Inspectorate**

**Business Impact Target Reporting Period Covered: 8 June 2017 to 20 June 2018**

Excluded Category*	Summary of measure(s), including any impact data where available
De minimis (measures with an EANDCB below +/- £5 million)	<p>All of the Drinking Water Inspectorates' measures for the BIT period 8 June 2017 to 20 June 2018 are under the <i>de minimus</i> exclusion. The Inspectorate's Regulatory Provision measures (i.e. not including Non-regulatory Provisions) can be split in the following way (for further details on all of these measures, please see Appendix 1):</p> <ul style="list-style-type: none"> <li>- Two European measures relating to the direct transposition of EU Directives.</li> <li>- Six measures relating to the regulation of the public water industry (a monopoly industry), including publication of the Chief Inspector's Report, Information Letters and Guidance Notes, to inform the water industry on compliance with the Regulations.</li> <li>- Three specific measures of regulatory casework, alongside regular day-to-day casework. Two of these informed the public water industry of good practise and lessons learnt from the Inspectorate's review of individual cases. One related to individual advice given to relevant water companies.</li> <li>- One communication measure to inform the public water industry of the publication of guidance.</li> <li>- Two consultation measures to inform the Inspectorate's development of policy.</li> </ul>

\*This column will be updated with the other exemption categories once the Business Impact Target has been announced. Complete the summary box as 'Following consideration of the exclusion category there are no measures for the reporting period that qualify for the exclusion.' where this is appropriate.